

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

OCT 17 2018

Clerk of Court

United States of America)

v.)

Gerardo McDonald)

YOB: 1998)

United States)

Case No. M-18-2133-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 19, 2017 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

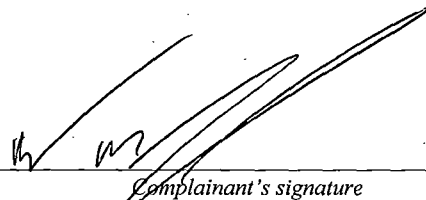
18 USC Sections 554, 2

Offense Description

Did knowingly and unlawfully export or attempt to export from the United States, any merchandise, article, or object, to wit: 7.62 x 39mm rifle, as defined by the United States Munitions List, contrary to any law or regulation of the United States, in that the Defendants had not obtained a license or written authorization for such export, in violation of Title 22, United States Code, Sections 2778(b)(2) and 2778(c) and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, 127.1 and 127.3 all in violation of Title 18, United States Code, Section 554.


This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.approved by
JSH-KSR
Complainant's signatureRyan McTaggart Special Agent HSI
Printed name and title

Sworn to before me and signed in my presence.

Date:

JSH
10/17/18
Judge's signatureCity and state: McAllen, TexasJ. Scott Hacker, United States Magistrate Judge
Printed name and title

Attachment "A"

On October 30, 2017, as part of an ongoing firearms trafficking investigation, Homeland Security Investigations (HSI) Special Agents (SA) arrested Eduard Roel VAZQUEZ after VAZQUEZ admitted to purchasing five (5) firearms for unnamed co-conspirators in Mexico.

On December 14, 2017, VAZQUEZ, under proffer letter, identified Gerardo MCDONALD as an individual who provided VAZQUEZ with instructions on which firearms to purchase, money to purchase the firearms, and transportation to the Federal Firearms Licensees where the firearms were purchased.

VAZQUEZ stated after the firearms had been purchased, VAZQUEZ, MCDONALD, and other co-conspirators, smuggled the firearms into Mexico.

Special Agents reviewed footage from security cameras inside the Federal Firearms Licensees where two (2) of the firearms, which VAZQUEZ stated were smuggled into Mexico were purchased, and the footage revealed VAZQUEZ and MCDONALD together inside of said Federal Firearms Licensee during the time of the purchases and then leaving the Federal Firearms Licensee together with the firearms.

A review of the receipts from the transactions associated with these purchases revealed one (1) of the firearms purchased, which VAZQUEZ stated had been smuggled into Mexico, to be a Century Arms 7.62 x 39mm rifle (serial number C39V2A43745).

On October 16, 2018, under rights advisement and waiver, MCDONALD stated that he had driven VAZQUEZ on three (3) occasions to purchase firearms. MCDONALD also stated that he knew it was illegal to smuggle firearms into Mexico.

Special Agents presented MCDONALD with still photographs from the security footage from inside two of the aforementioned Federal Firearms Licensees and MCDONALD confirmed the individuals purchasing the firearms in the images were himself (MCDONALD) and VAZQUEZ.